

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

SHELLEY R. GARNICK, TANAJAH)	
CLARK and ZOE R. JONES, individually)	
and on behalf of all others similarly situated,)	CIVIL ACTION NO.:
)	
Plaintiffs,)	1:21-CV-00454-WO-JLW
)	
v.)	
)	
WAKE FOREST UNIVERSITY BAPTIST)	
MEDICAL CENTER, THE BOARD OF)	
DIRECTORS OF WAKE FOREST)	
UNIVERSITY BAPTIST MEDICAL)	
CENTER, THE RETIREMENT BENEFIT)	
COMMITTEE OF WAKE FOREST)	
UNIVERSITY BAPTIST MEDICAL)	
CENTER and JOHN DOES 1-30.)	
)	
Defendants.)	

**PLAINTIFFS' UNOPPOSED MOTION FOR FINAL
APPROVAL OF CLASS ACTION SETTLEMENT**

Plaintiffs, Shelley Tco¹, Tanajah Clark, and Zoe R. Jones (together "Plaintiffs"), by and through their undersigned counsel on behalf of the Wake Forest Baptist Medical Center 403(b) Retirement Savings Plan (the "Plan"), respectfully move this Court pursuant to FED. R. CIV. P. 23, for an Order:

1. Granting final approval to the class action settlement in this action on the terms of the Class Action Settlement Agreement ("Settlement Agreement"), fully executed on July 10, 2023 and previously filed with the Court on July 10, 2023 (ECF No.56-1);
2. Certifying the Class as defined in the Settlement Agreement;

¹ Since initiating this lawsuit Ms. Garnick has changed her last name to Tco. As such she is referred to herein, where applicable, as Shelly Tco.

3. Appointing Plaintiffs as Class Representatives and Plaintiffs' Counsel Capozzi Adler, P.C. as Class Counsel under FED. R. CIV. 23(g);

4. Finding that the manner in which the Settlement Class was notified of the Settlement was the best practicable under the circumstances and adequately informed the Settlement Class members of the terms of the Settlement, how to lodge an objection and obtain additional information; and

5. For such other and further relief as the Court may deem just and proper.

The grounds for this Motion are set forth in the following papers filed contemporaneously herewith:

A. Plaintiffs' Memorandum of Law in Support of Unopposed Motion for Final Approval of Class Action Settlement; and

B. Declarations of Plaintiffs' Counsel, Plaintiffs, and the Settlement/Notice Administrator.

Attached hereto is the proposed Final Approval Order and Judgment in the form agreed to by the parties and attached to the Settlement Agreement as an exhibit.

Dated: May 21, 2024

Respectfully submitted,

CAPOZZI ADLER, P.C.

/s/ Mark K. Gyandoh
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*Attorneys for Plaintiffs, the Plan
and the Proposed Class*

CERTIFICATE OF SERVICE

I hereby certify that on May 21, 2024, a true and correct copy of the foregoing document was filed with the Court utilizing its ECF system, which will send notice of such filing to all counsel of record.

By: /s/ Mark K. Gyandoh
Mark K. Gyandoh, Esq.